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8  
9 **BEFORE THE**  
**PHYSICAL THERAPY BOARD OF CALIFORNIA**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

11 In the Matter of the Petition to Revoke Probation  
12 Against:

Case No. D1 2000 62592

13 **JANE E. SAVAHELI, P.T.**

**PETITION TO REVOKE  
PROBATION**

14 19119 Victory Boulevard #263  
15 Reseda, California 91335

16 Physical Therapist License No. PT 9186

17 Respondent.

18  
19 Complainant alleges:

20 **PARTIES**

21 1. Steven K. Hartzell, Executive Officer (Complainant) brings this Petition to  
22 Revoke Probation solely in his official capacity as the Executive Officer of the Physical Therapy  
23 Board of California (Board), Department of Consumer Affairs.

24 2. On or about June 22, 1979, the Board issued Physical Therapist License  
25 Number PT 9186 to Jane E. Savaheli (Respondent). This license was in effect at all times  
26 relevant to the charges brought herein, and will expire on July 31, 2009, unless renewed.

27 3. In a disciplinary action entitled, "In the Matter of the First Amended  
28 Accusation Against Jane E. Savaheli," Case No. 1D 2000 62592, the Board adopted the Proposed

Decision of the Administrative Law Judge effective June 3, 2004, in which Respondent's license was revoked. However, the revocation was stayed, and Respondent's license was placed on probation for a period of three (3) years with certain terms and conditions. As part of her probation, Respondent was ordered to pay the Board for the reasonable costs of investigation and enforcement in this matter in the amount of \$9,000.00, and probation monitoring costs. In addition, if the Respondent worked less than 192 hours in a period of three months, those months shall not be counted toward satisfaction of the probationary period. A copy of that decision is attached as Exhibit A and is incorporated herein by reference.

4. Respondent's probation was set to end on June 3, 2007. However, it was extended three months until September 3, 2007, as Respondent worked less than 192 hours in a three month period.

## JURISDICTION

5. This Petition to Revoke Probation is brought before the Board under the authority of the following laws. All section references are to the Business and Professions Code (Code) unless otherwise indicated.

6. Section 2609 of the Code states:

The board shall issue, suspend, and revoke licenses and approvals to practice physical therapy as provided in this chapter.

7. Section 2661.5 of the Code states:

(a) In any order issued in resolution of a disciplinary proceeding before the board, the board may request the administrative law judge to direct any licensee found guilty of unprofessional conduct to pay to the board a sum not to exceed the actual and reasonable costs of the investigation and prosecution of the case.

(b) The costs to be assessed shall be fixed by the administrative law judge and shall not in any event be increased by the board. When the board does not adopt a proposed decision and remands the case to an administrative law judge, the administrative law judge shall not increase the amount of the assessed costs specified in the proposed decision.

1 (c) When the payment directed in an order for payment of costs is not made  
2 by the licensee, the board may enforce the order of payment by bringing an action in any  
3 appropriate court. This right of enforcement shall be in addition to any other rights the  
4 board may have as to any licensee directed to pay costs.

5 (d) In any judicial action for the recovery of costs, proof of the board's  
6 decision shall be conclusive proof of the validity of the order of payment and the terms  
7 for payment.

8 (e) (1) Except as provided in paragraph (2), the board shall not renew or reinstate  
9 the license or approval of any person who has failed to pay all of the costs ordered under  
10 this section.

11 (2) Notwithstanding paragraph (1), the board may, in its discretion,  
12 conditionally renew or reinstate for a maximum of one year the license or approval of any  
13 person who demonstrates financial hardship and who enters into a formal agreement with  
14 the board to reimburse the board within that one year period for those unpaid costs.

15 (f) All costs recovered under this section shall be deposited in the Physical  
16 Therapy Fund as a reimbursement in either the fiscal year in which the costs are actually  
17 recovered or the previous fiscal year, as the board may direct.

## 18 **FIRST CAUSE TO REVOKE PROBATION**

### 19 **(Cost Recovery)**

20 8. At all times after the effective date of Respondent's probation, Condition 2  
21 stated:

22 Respondent will be ordered to reimburse the Board the actual and reasonable  
23 investigative and prosecutorial costs incurred by the Board. The respondent will  
24 normally be ordered to make the reimbursement within 30 days from the effective date of  
25 the decision unless the Board agrees in writing to payment by an installment plan. Failure  
26 to make the ordered reimbursement, or any agreed upon payment, may constitute a  
27 violation of the probation order.

28 9. Respondent's probation is subject to revocation because she failed to

1 comply with probation Condition 2, referenced above. The facts and circumstances regarding  
2 this violation are as follows:

3 a. Respondent has failed to reimburse the Board for its total costs in  
4 the amount of nine thousand dollars (\$9,000.00). She is delinquent in the amount  
5 of eight thousand one hundred dollars (\$8,100.00).

6 **SECOND CAUSE TO REVOKE PROBATION**

7 **(Failure to Pay Probation Monitoring Costs)**

8 10. At all times after the effective date of Respondent's probation, Condition  
9 18 stated:

10 All costs incurred by the Board for probation monitoring during the entire period  
11 of probation shall be reimbursed by respondent. Respondent will be billed at least  
12 quarterly. Failure to make the ordered reimbursement within sixty (60) days of the billing  
13 shall constitute a violation of this probation order.

14 11. Respondent's probation is subject to revocation because she failed to  
15 comply with probation Condition 18, referenced above. The facts and circumstances regarding  
16 this violation are as follows:

17 a. On or about February 5, 2007, Respondent incurred a charge of  
18 nineteen dollars and fifty cents (\$19.50) for probation monitoring costs.

19 b. On or about April 2, 2007, Respondent incurred a charge of  
20 fifty-eight dollars and fifty cents (\$58.50) for probation monitoring costs.

21 c. The Board has not received any payments for the above probation  
22 monitoring costs. Respondent is delinquent in her probation monitoring costs in the  
23 amount of seventy-eight dollars (\$78.00).

24 **PRAYER**

25 WHEREFORE, Complainant requests that a hearing be held on the matters herein  
26 alleged, and that following the hearing, the Physical Therapy Board of California issue a  
27 decision:

28 1. Revoking the probation that was granted by the Physical Therapy Board in

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- Case No. 1D 2000 62592;
2. Revoking or suspending Physical Therapist License No. PT 9186 issued to Jane E. Savaheli;
3. Ordering Jane E. Savaheli to pay the Physical Therapy Board the costs of the investigation and enforcement of this case, and if probation is continued or extended, the costs of probation monitoring; and
4. Taking such other and further action as deemed necessary and proper.

DATED: August 29, 2007

Original Signed By:  
STEVEN K. HARTZELL, EXECUTIVE OFFICER  
Physical Therapy Board of California  
Department of Consumer Affairs, State of California  
Complainant

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